

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1-20 are pending in the present application. Claims 1, 2, 6, 14, 16 and 17 are amended and new claims 18-20 are added by the present amendment.

Objection to the Specification

The outstanding office action at item 2 objected to the specification for informalities and required submission of a substitute specification. In light of these comments, the specification is amended to correct minor informalities and better conform to standard patent practice, and it is believed no new matter is submitted. Because the present amendments to the specification are believed to cure the informalities noted in the outstanding Office Action, it is respectfully requested the requirement to submit a substitute specification be withdrawn.

Rejection under 35 U.S.C. § 112, First Paragraph

Claims 1-17 were rejected under 35 U.S.C. § 112, first paragraph for lack of enablement. This rejection is respectfully traversed.

As an initial matter, it is respectfully submitted that various embodiments of the invention are sufficiently described and enabled in the specification, and that the existence of several embodiments does not render the specification unclear. In particular, the relay in the embodiment shown in FIG. 1 is described in the originally filed specification at least at page 11, line 25 to page 13, line 6. In another embodiment, shown in FIG. 33 and described in the originally filed specification at least at page 58, line 3 to page 61, line 10, the relay takes the form of a dock to which a mobile terminal attaches.

Therefore, the features of independent claims 1-3, 5, 7-11 and 13-17 and each of the claims depending therefrom are fully supported and enabled in the specification. Accordingly, it is respectfully requested this rejection be withdrawn.

Rejection under 35 U.S.C. § 112, Second Paragraph

Claims 1-17 were rejected under 35 U.S.C. § 112, second paragraph as indefinite. This rejection is respectfully traversed.

Initially, claim 6 is amended in light of the comments noted in the outstanding office action. Further, it is respectfully submitted that each of the features of pending claims 1-17 are

adequately described and enabled in the specification, for at least similar reasons as discussed above.

In a non-limiting example, the features of independent claim 1 and at least one portion of the specification supporting each feature are described below:

“notifying from the terminal device to the delivering source device of information specifying resources to be delivered and a relay device for receiving the resources” is supported at least at page 12, lines 19-25;

“delivering the resources specified by the notification from the delivering source device to the relay device specified by the notification” is supported at least at page 12, line 25 to page 13, line 3; and

“delivering the resources from the relay device to the terminal device according to an access from the terminal device” is supported at least at page 13, lines 3-6. Moreover, each of the features of the other pending claims are similarly supported in the specification.

Accordingly, it is respectfully requested this rejection also be withdrawn.

Rejection under 35 U.S.C. § 102

Claims 1, 2, 5, 6, 14, 16 and 17 were rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. patent number 6,546,002 to Kim. This rejection is respectfully traversed because Kim does not teach or suggest at least delivering resources from a delivering source to a terminal device through a plurality of relay devices, as in the pending amended independent claims.

The present application teaches a system including a terminal device, which is mobile, and a plurality of relay devices which are disposed in a network. The terminal device selectively specifies a relay device from among the plurality of relay devices at a location the terminal device may travel to, before a desired resource is sent. Accordingly, the terminal device can receive the desired resource at any location the terminal device travels to by previously specifying the relay device at the location the terminal device will travel to.

Amended independent claim 1 includes features of “a plurality of relay devices between a delivering source which delivers resources and a terminal device which receives the resources” in which “each of the relay devices” are “respectively settled at a corresponding location,” support for which is found in the originally filed specification at least at page 12, line 13 to page 13, line 6. Amended independent claims 2, 14, 16 and 17 include similar features.

In contrast, Kim only discusses at column 5, line 56 to column 6, line 16 a “mobile

interface agent (MIA)" that runs as software on a computer or PDA device. This MIA is different from relay devices which are "respectively settled" at a "corresponding location" to allow a mobile terminal device to specify various relay devices, as in amended independent claim 1 (independent claims 2, 14, 16 and 17 include similar features). Rather, the MIA of Kim is a part of a PDA device, and as such cannot be settled at a particular location, but travels with the PDA device itself. Accordingly, it is respectfully submitted independent claims 1, 2, 14, 16 and 17 and each of the claims depending therefrom patentably distinguish over Kim.

Moreover, independent claim 5 also patentably distinguishes over Kim because Kim does not teach or suggest at least delivering resources from a relay device to a first terminal device, and then delivering the resources to a second terminal device.

In contrast, Kim only teaches that an MIA is attached to a single PDA device (see FIG. 8 of Kim) and that a particular MIA can only interface with the one PDA to which it is attached (see Kim at Column 6, lines 30-37). This is different from a relay device which delivers resources to both first and second terminal devices, as in independent claim 5.

Accordingly, it is respectfully submitted independent claim 5 and each of the claims depending therefrom also patentably distinguish over Kim.

Additional Claims

In addition, new claims 18-20 are added to set forth the invention in a varying scope. New claims 18 and 19 are system claims and include similar features to claims 5 and 6, respectively. Further, new claim 20 is similar to claim 1 but is written to amplify the features of claim 1. New claims 18-20 are believed to be allowable at least for similar reasons as discussed regarding claims 1, 5 and 6, and it is believed no new matter is added.

Conclusion

In light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Serial No. 09/667,513

If there are any additional fees associated with filing of this response, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: March 17, 2004

By: 

Ryan Rafferty
Registration No. 55,556

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 454-1589
Facsimile: (202) 434-1501